

Appln. No. 10/016,068
Amdt. date September 5, 2003
Reply to Office action of March 6, 2003

REMARKS/ARGUMENTS

The Office action dated March 6, 2003 has been reviewed and the comments therein carefully considered. In the Office action, various questions and issues are raised concerning the description of the new variety. By the accompanying Substitute Specification, Applicant has made a *bona fide* attempt to address all these issues and questions with information available.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are earnestly solicited. If any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By Vincent G. Gioia
Vincent G. Gioia
Reg. No. 19,959
626/795-9900

VGG/lb
Enclosures

Substitute Specification (Marked-up Copy)
Substitute Specification (Clean Copy)
Petition for Extension of Time
Check for \$465

1.1B IRV1069230.1-*09 3 03 9:22 AM

SUBSTITUTE SPECIFICATION
(Marked-up Copy)

1 47498/VGG/C614

HYBRID TEA ROSE PLANT NAMED 'FRIVOLOUS PINK'

5 CLASSIFICATION

The present invention relates to a new *Rosaceae* plant.

VARIETY DENOMINATION

The new plant has the varietal denomination 'FRIVOLOUS
10 PINK'.

BACKGROUND OF THE INVENTION

The present invention relates to a new and distinct variety
of rose plant of the hybrid tea rose of the genus Rosaceae which
15 was created by crossing as seed and pollen parents two (2)
unknown rose varieties. The varietal denomination of the new
variety is 'FRIVOLOUS PINK'.

SUMMARY OF THE INVENTION

20 Among the novel characteristics possessed by this new
variety which distinguishes it from other varieties of which I
am aware, is its pink flowers.

25 Asexual reproduction by propagation by budding of the new
variety as performed in Wasco, California shows that the
foregoing and other distinguishing characteristics come true to
form and are established and transmitted through succeeding
propagations.

30

35

**SUBSTITUTE SPECIFICATION
(Marked-up Copy)**

1 47498/VGG/C614

BRIEF DESCRIPTION OF ILLUSTRATION

5 The accompanying illustration shows typical specimens of the flowers and foliage of the new variety depicted in color as nearly true as it is reasonably possible to make the same in a color illustration of this character.

10

15

20

25

30

35

SUBSTITUTE SPECIFICATION
(Marked-up Copy)

1 47498/VGG/C614

DESCRIPTION OF THE NEW VARIETY

The following is a detailed description of 2-year budded
5 plants of the new variety, with color terminology in accordance
with *The Royal Horticultural Society Colour Chart* (RHSCC). The
terminology used in color description herein refers to plate
numbers in the aforementioned color chart. Phenotypic expression
may vary with light availability, environmental and cultural
10 conditions.

The following observations are made of specimens grown
outdoors in Wasco, California, during the month of November
budded on 'DR. HUEY' understock.

PLANT

15	Form:	Compact
	Growth:	Medium
	Size:	Height about 3 1/2 feet; width about 2 feet
20	Foliage	
	Size:	<u>Terminal leaflet length</u> Length about 2 9/16 inches; width about 1 3/8 inches
25	Quantity:	<u>About 5</u> <u>Usually 5</u> leaflet leaves, sometimes 7 leaflet leaves
	Color	
30	New foliage:	Upper side near 175A; under side near 175C
	Mature foliage:	Upper side near 137A; under side near 137C
	Shape:	Elliptic
	Texture	
35	Upper side:	<u>Smooth, semi-glossy</u>

**SUBSTITUTE SPECIFICATION
(Marked-up Copy)**

1 47498/VGG/C614

	Under side:	Matte
5	Edge:	Serrated
	Serration:	Slight
10	Petioles:	Top surface color near 143B; Under side near 144B
	Stipules:	Normal
15	Rachis:	Few prickles
	<u>Variegation:</u>	<u>None</u>
	<u>Veination:</u>	<u>None</u>
	WOOD	
20	New shoots	
	Bark:	Smooth
	Wood:	Near <u>46A 143C</u>
	Old wood	
25	Bark:	Smooth
	Wood:	Near 141C
	Flowering stem:	Length about [[3]] <u>16</u> inches
	Winter Hardiness:	Completely winter hardy
	Resistance to Disease:	Average
30	<u>Temperature range:</u>	<u>Between 16° and 120° F</u>
	<u>Internode spacing:</u>	<u>Usual</u>
	Preferred growing conditions:	Full sun
35	Growth habit:	Medium vigor
	Leaves per stem:	About 5
	<u>Prickles/Thorns:</u>	<u>Thorns about 3/16 inch long,</u> <u>near 143C</u>
	FLOWER/ INFLORESCENCE	
35	Blooming Habit:	Recurrent

SUBSTITUTE SPECIFICATION
(Marked-up Copy)

1 47498/VGG/C614

Bud Length about 2 inches; width
about 1 1/4 inches

5 Form: Classic rose

Color: Before sepals divide color
near 56A; when sepals first
divide color near 55B; when
petals begin to unfurl color
near 55C

10 Sepals: Long, thin on ends, usually 5
sepals per bloom, multiple
serrated extensions

15 Size: Length in relation to bud,
about 1 3/16 inches

Color: Topside near 145A; bottom
near 145B

Peduncle

20 Length: About 2 3/4 inches, smooth

Strength: Erect

Color: Near 147B

Flower

25 Size: About 4 inches

Borne: Multiple blooms in sprays,
usually about 5 to 6 blooms
per spray

30 Form: High centered, opens very
flat with age

Petalage: About 20, petals are fan-
shaped

Petaloids in center: About 3

35 Fragrance: Slight

SUBSTITUTE SPECIFICATION
(Marked-up Copy)

1 47498/VGG/C614

5 Lasting Quality: About 2 weeks on plant; about 5 days after cutting

10 Color
During first 2 days: Inner petals at flower center topside near 36A; bottom near 36C; outer petals topside near 36B, bottom near 4B, tips of petals are darker pink, near 39A, balance of petals are lighter near 36B

15 Base of petals
(Point of attachment): Near 4B

General tonality from a distance: Near 36A

20 Color Change: As bloom ages, fades to near 158C; after 3 or more days, fades to near 158C

25 Petals
Texture: Soft
Shape: Wider than long
Arrangement: Imbricated
Appearance: Velvety

REPRODUCTIVE ORGANS
Arrangement of stamens, Regularly arranged around styles
Filaments and Anthers: Filaments near 4B; Anthers near 4D

30 Color:
Pollen: No pollen
Styles: Medium length

35 Hips/Seed Vessels/Ovaries

**SUBSTITUTE SPECIFICATION
(Marked-up Copy)**

1 47498/VGG/C614

Shape: Round
5 Size: About 1/2 inch
Color: Near 147B
Seeds: No seeds

10

15

20

25

30

35

**SUBSTITUTE SPECIFICATION
(Marked-up Copy)**

1 47498/VGG/C614

I CLAIM:

5 A new and distinct Hybrid Tea Rose plant of the variety
substantially as shown and described.

10

15

20

25

30

35

SUBSTITUTE SPECIFICATION
(Marked-up Copy)

1 47498/VGG/C614

ABSTRACT

5 A new and distinct Hybrid Tea Rose plant variety with pink
flowers.

10 ~~VGG/vat~~ VGG/11b

~~LSD IRV1069361.1 9-5-03 1:06 PM~~

15

20

25

30

35